

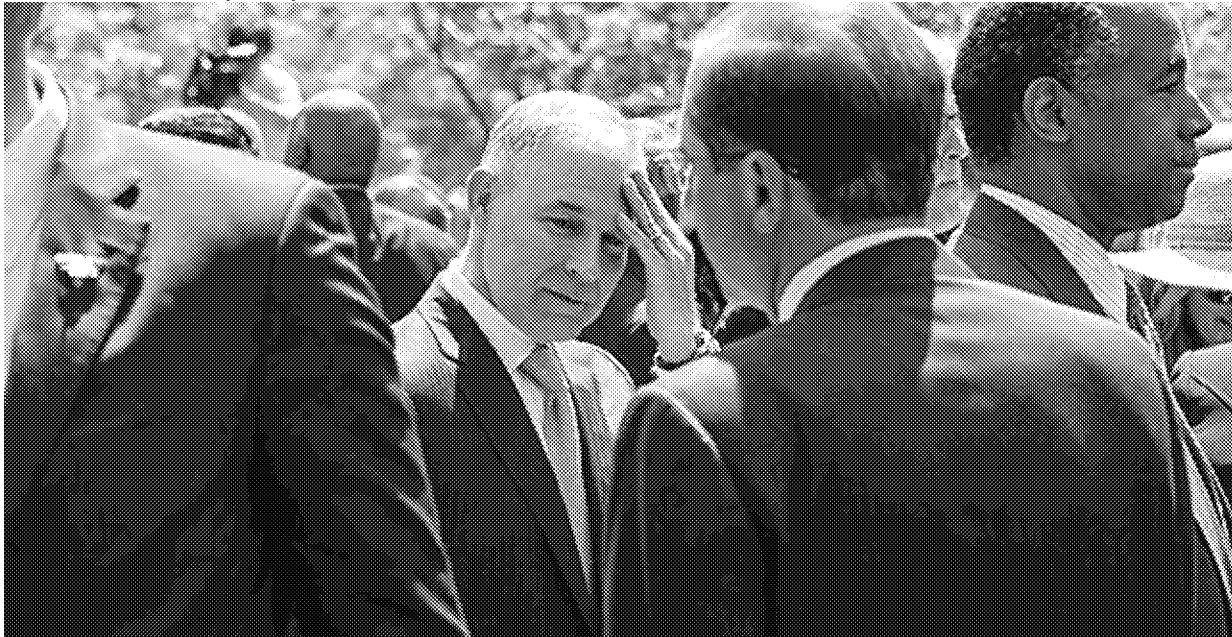
Message

**From:** Blackburn, Elizabeth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A080EB90549A453AAA6A357F5257C0B7-BLACKBURN, ELIZABETH]  
**Sent:** 5/8/2018 5:49:28 PM  
**To:** Orme-Zavaleta, Jennifer [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3c5a111dc377411595e5b24b5d96146b-Orme-Zavaleta, Jennifer]; Robbins, Chris [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=958b4b78eb42457eacf53514e428efd6-Robbins, Chris]; Rodan, Bruce [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Rodan, Bruce]; Radzikowski, Mary Ellen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2ac0a54e43bb4ac08276b57c5563c725-Radzikowski, Mary Ellen]; Hubbard, Carolyn [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2a93ce3245494318b109e87f7d826284-Hubbard, Carolyn]  
**Subject:** Pruitt science rule seen undermining EPA's 'war on lead'

## Pruitt science rule seen undermining EPA's 'war on lead'

Ariel Wittenberg, E&E News reporter

Published: Tuesday, May 8, 2018



EPA Administrator Scott Pruitt may be the biggest deterrent to his "war on lead." Evan Vucci/Associated Press

EPA Administrator Scott Pruitt has declared a "war on lead," and is also leading an assault on so-called "secret science."

His critics say the two initiatives are at war with each other.

Last month, Pruitt proposed a science transparency rule that would effectively bar EPA from using studies in crafting significant regulations unless the underlying data "are publicly available in a manner sufficient for independent validation."

If that rule is finalized, health advocates say, it could bar EPA from considering many studies that prove threats posed by lead.

"This is waging war on the war on lead," said Erik Olson, who directs the Natural Resources Defense Council's health program.

Advertisement

Pruitt proposed the science proposal as EPA is working to rewrite standards for lead in dust, paint and drinking water. It's unclear whether the proposed "transparency" rule would be finalized in time to be in effect for current lead rewrites, but it could still come into play for future decisions about Superfund sites contaminated with lead, as well as future lead air standards that must be rewritten every five years.

Lead is a potent neurotoxin that can be especially harmful to children. Long-term exposure can damage brain development, impair muscle coordination, and affect nervous systems, kidneys and hearing.

But much of the research on lead's health effects is decades old and involved studying children with extremely high lead levels in their blood. Independently validating those studies would be unethical and therefore impossible, advocates say, because it would require exposing kids to higher doses of the toxin than they currently encounter.

"If this is retrospective, it would be a disaster," said Ronnie Levin, a former EPA staffer who manages the water and health program at Harvard University's T.H. Chan School of Public Health.

"They could end up saying, 'We don't have to eliminate exposure because we don't have evidence that lead is bad.'"

Bruce Lanphear, a researcher at Simon Fraser University who authored many pivotal lead studies in the 1990s, called the science rule "insane."

"If this is retroactive," he said, "it would be a clear attempt to roll back regulations by knocking out the vast majority of research."

EPA failed to respond to requests for comment. But Pruitt has made reducing lead risk a priority for his agency in 2018, telling Congress multiple times he wants to wage a "war on lead."



Erik Olson, Natural Resources Defense Council

The science proposal asks the public to weigh in on whether older studies should be grandfathered in, and whether certain types of regulations should be exempt from the requirements.

NRDC's Olson said he's skeptical EPA would exempt lead regulations or older studies from the rule, noting that the Trump administration is industry-friendly.

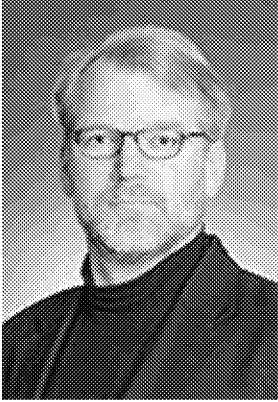
"A lot of these studies about the health effects of lead, the chemical industry has been targeting for a long time," he said. "Pruitt continues to do the bidding of industry in other actions, so I'm skeptical that this would be any different."

Even if older studies could still be considered under the "transparency" rule, proposed data-sharing requirements in the rule also raise questions about how many researchers could comply.

Epidemiological studies about lead often rely on personal data that researchers might be uncomfortable sharing with the public or might be prohibited from sharing under the Health Insurance Portability and Accountability Act.

In its proposal, EPA asks for comment about how it could implement a final rule that would be "consistent with statutory requirements for protection of privacy and confidentiality of research participants."

Lanphear said there is nothing wrong, on its face, with increasing data transparency. The National Institutes of Health already requires recipients of grants larger than \$500,000 to share data with the agency.



Bruce Lanphear, Simon Fraser University

But, he notes, researchers know going into those grants that they'll need to set aside time and funds to go through data and remove any identifying information about study subjects. EPA's proposal, by contrast, would amount to an unfunded mandate targeting any number of studies, he said.

He also said he is skeptical of EPA's intentions, in part because the agency is not considering requiring similar transparency from chemical companies about, for example, the science proving pesticides are safe to use.

"In a less insane world, there is nothing wrong with data sharing," he said. "As it is, I can only see the reasoning behind this as meaning to gum up the system so you can't write new regulations and might have to undo old ones."

## Could computer models be trashed?

The proposed science rule wouldn't just have the potential to remove studies from EPA consideration; it could also eliminate computer models the agency uses to determine childhood lead exposure.

Computer models integrate multiple studies at one time, and if any individual study did not comply with the regulation, the whole model could be thrown out, warned Doreen Cantor Paster, former branch chief for EPA's lead paint program.

Models determining how much lead dust toddlers typically ingest are based on studies of how many hours toddlers are awake, how much of that time they would be crawling, how often they stick a hand in their mouth, how much lead dust might be on their hands and how that might affect their health.

The entire model would be "interrupted," Paster said, "if any given study for any given step was ruled out of bounds."

"These models are important for almost everything EPA does on lead," she said.

While those studying the health impacts of lead might be willing to comply with new transparency standards to allow EPA to use their data, the same might not be the case for those working in other fields, like behavioral science, said Betsy Southerland, who resigned in protest last year from her post leading EPA's Office of Water's Office of Science and Technology.

Researchers from other countries or working in other fields may not be aware of new EPA requirements or willing to tailor their work to them.

"There are researchers that wouldn't be dependent on EPA to use their science that wouldn't want to take the added time and effort," she said.

Ultimately, the proposed transparency rule could result in different federal standards for lead at different agencies.

A few years ago, the Centers for Disease Control and Prevention lowered its "reference level" for when lead in blood is considered elevated to 5 micrograms per deciliter.

In response, the Department of Housing and Urban Development rewrote its regulation for lead paint in public housing to bring it in line with the CDC's recommendation.

But EPA is still catching up. The agency is working to rewrite its standard for lead paint in private homes, which has not yet been proposed. If the science transparency rule is finalized first, Paster said, EPA and HUD might rely on completely different data to regulate the same kind of lead exposure.

"You could conceivably get different hazard levels for two different types of housing," she said

Liz Blackburn  
Chief of Staff  
EPA Office of Research and Development  
202-564-2192  
Mobile: 202-436-2453